

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
APRIL 4TH 2007 AT 4:00 P.M.
MEETING HALL, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Dave Fisher (President), Dave Bonnell, John Hatter, Jack Heaton, Steve Ruble, Joan Tupin-Crites, Jesse Brand, Brian Russell, and Tom Finke (County Liaison).

Members Absent: Pat Zeigler, Bryan Haza and Tom King.

Staff Present: Jeff Bergman, Sondra Bohn, Laura Thayer, Marcus Hurley, Thom Weintraut, Heather Pope, and Alan Whitted (Deputy City Attorney).

CONSENT AGENDA

Minutes of the March 7, 2007 meeting.

Motion: Mr. Heaton made a motion to approve the minutes. Mr. Bonnell seconded the motion and it carried unanimously by voice vote.

OLD BUSINESS REQUIRING COMMISSION ACTION

PUDF-07-01: LOT 2A COLUMBUS CROSSING – a request by JWL Properties for approval of a Final PUD Plan for a property of approximately 2.21 acres, currently zoned PUD, to construct a 22,000 square foot retail strip center with associated parking, landscaping, lighting, and other infrastructure. The property is located on the northeast corner of Merchants Mile and Carr Hill Road in the City of Columbus.

Mr. Fisher stated the petitioners regarding this request had not contacted staff. He stated that staff has advised them of their options to withdraw the petition or have it denied. Mr. Fisher stated that staff has recommended denial of this petition.

Motion: Mr. Ruble made a motion to deny this request. Ms. Tupin-Crites seconded the motion and it carried with a vote of 8-0.

NEW BUSINESS REQUIRING COMMISSION ACTION

RZ-07-03: THOMPSON DEVELOPMENT REZONING – a request by Thompson Development, LLC to rezone a property of 25.24 acres from AG (Agriculture) to R-3 (Single Family Residential). The property is located on the east side of Terrace Lake Road 475 feet south of Carr Hill Road in the City of Columbus.

Mr. Hurley presented the staff information on this request.

Mr. E.R. Gray with E.R. Gray & Associates and Robert Thompson, Sr. represented the petitioner.

Mr. Gray stated that the plans are to develop this site into a residential community. He stated that there are some restrictions on the site, including the floodway and some of the floodway fringe. He stated they have prepared some preliminary concept plans and could be looking at approximately 30 lots. Mr. Gray stated that they are asking for approval of this rezoning.

Mr. Fisher asked if they had any idea of how access would be gained from Terrace Lake Road. Mr. Gray stated that there is a stub street to the north, there would be access from Terrace Lake Road, and the developer would create a stub street to the property line on the east side. He stated there would be three access points to this property.

Mr. Fisher opened the meeting to the public.

Mr. David Atkinson expressed concerns about the environmental issues and wetlands located on the property. He stated there is a large ditch located in this area and that is a wonderful wild life area. Mr. Bergman stated there is no requirement for an environmental assessment for this type of request. Mr. Gray stated he did not know if this was a wetland.

Mr. Carl Good expressed concerns about flooding. He stated that the zoning was too intense for this neighborhood and objected to the street connection to Suburban Court.

Ms. Karen Baxter expressed concern about have an access through Suburban Court. She stated that there were only eleven houses located in this subdivision.

Ms. Mona Atkinson stated she was concerned about the increase of traffic on Terrace Lake Road.

Ms. Pam Good questioned the need for the zoning of R-3 and stated she thought R-2 would be adequate. She stated that the developer had stated that he would not be building as many houses as R-3 would allow.

Mr. Troy Hall expressed concerns about the increase of traffic in the area. He stated he did not agree with infill process that is suggested in the Comprehensive Plan and expressed concerns if another housing addition was needed at all.

Ms. Beth Woods expressed concern regarding the traffic and was opposed to the rezoning of R-3.

Mr. Bill Barker stated that R-3 zoning would allow the possibility of 125 houses to be built at this site and this would allow 992 extra trips per day across Suburban Court. He stated that it was his opinion that the development should only have an entrance off Terrace Lake Road.

Mr. Fisher read into the record a letter from William and Nancy Barker expressing concern about the additional traffic on Suburban Court and along Terrace Lake Road. They also expressed concern about the decrease in property value.

Ms. Mona Atkinson expressed concerns about the extra traffic that will be on Terrace Lake Road.

Mr. Ron Joyner expressed concern about the access across Suburban Court. He also stated that it was his opinion that it did not need the R-3 zoning.

Mr. Barker asked, if the density was to be so low, why R-3 was chosen over the R-2.

Mr. Gray stated there are some areas that cannot be developed; so the lot sizes may be small. He stated that the minimum lot width provided by R-3 might be needed to accommodate the lot configuration.

Mr. Fisher closed the meeting to the public.

Ms. Tupin-Crites asked what the difference in density is for R-2 and R-3 zoning. Mr. Gray stated that without getting into semantics he stated that the R-3 gives the developer some flexibility and felt that was the correct zoning to request. Mr. Bergman stated there is a difference in the dimensions of the lots. He stated the minimum width in an R-3 is 60 feet and in an R-2 is 70 feet. He stated there is a density factor and they could choose to cluster some lots on a certain part of the property.

Mr. Bergman stated that this is an appropriate infill site that would create efficient in delivering city services. He stated that Terrace Lake Road does see a lot of traffic but the road infrastructure is there to accommodate that traffic better than it is in other locations. He stated that staff believes that this is an appropriate site for infill development. Mr. Bergman stated there are some details to be worked out regarding the actual design of the lots and drainage plans. He stated that the issue of the wetlands should be looked into on the site. Mr. Bergman stated there could be conditions attached to this rezoning to help with some of the neighbors concerns. He stated the Plan Commission could put conditions on the number of lots developed. Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council for this request, without conditions.

Mr. Fisher asked Mr. Thompson if he could suggest a maximum number of lots if the Plan Commission indicates a preference for a conditional rezoning. Mr. Gray stated that staff has reviewed the petition and all entities have approved of this rezoning. He stated they would prefer to keep the R-3 zoning as submitted.

Mr. Heaton stated if they were not willing to negotiate the restrictions on the number of lots, he could not vote for the R-3 zoning.

Mr. Brand stated he did not think it was the Commission's responsibilities to micro manage each petition that comes forward.

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Mr. Gray stated that rather than have a conditional R-3 zoning Mr. Thompson has indicated that if it can be done at this meeting he would entertain an R-2 zoning.

Mr. Bergman stated that R-2 is a maximum density of 3.5 units per acre.

Mr. Whitted stated that the petition could be amended at this meeting. He stated that hearing the petitioners on the record asking for an amendment the Commission could go forward in acting on that amended request. Mr. Whitted stated that there would not be a procedural problem in going forward on this amended R-2 zoning request.

Motion: Mr. Brand made a motion to send a favorable recommendation to the City Council on an amended request for R-2 rezoning. Mr. Bonnell seconded the motion and it carried with a vote of 8-0.

Mr. Bonnell left the meeting at this time.

ANX-07-02: JAMES L. PUCKETT ANNEXATION – a request by James L. Puckett, to annex to the City of Columbus approximately 170 acres located on the west side of River Road 1/2 mile north of County Road 400 North in Flat Rock Township.

RZ-07-04: JAMES L. PUCKETT REZONING – a request by James L. Puckett, to rezone approximately 170 acres from AG (Agriculture) to I-2 (Medium Industrial). The property is located on the west side of River Road 1/2 mile north of County Road 400 North in Flat Rock Township.

Ms. Thayer presented the staff information on these requests.

Mr. Perry Cloyd with Midwest Surveying and Mr. Jim Puckett represented the petitioner.

Mr. Cloyd stated they have been in many discussions regarding this request. He stated they were aware of all the issues that have been presented by staff. Mr. Cloyd stated that they have attempted to address as many issues as possible. He stated this request is meant to be consistent with the goals for the growth of the airport and the surrounding area. He stated what is actively happening at the airport now was what spurred some of this discussion and the idea to request annexation and rezoning.

Mr. Cloyd stated that it was their opinion that the airport is underutilized as a transportation portal. He stated that transportation is a chokepoint in every community and transportation congestion is outpacing the rate of infrastructure investment. Mr. Cloyd stated that River Road to County Road 550N to US 31 to I-65 is the most logical route for future access to the airport.

Mr. Cloyd stated that limited areas are available for development around the airport.

Mr. Cloyd stated they have made every attempt to be sensitive to the surrounding conditions. He stated that many uses in this request have been eliminated to control development. He stated they have planted 20,000 trees along the river to enhance the property and help with the erosion. He also stated the availability of this site would support a technology related cluster. Mr. Cloyd stated this would compliment things that already exist at the airport.

Mr. Cloyd stated that this has been, from the beginning, a planned partnership with the Airport, IU, Purdue, Ivy Tech, the Learning Center and Columbus Info Tech Park. He stated that Mr. Puckett's primary discussions have been with the Airport. He stated that land use is being coordinated with the proposed airport expansion. Mr. Cloyd stated that they have discussed those issues, are addressing the concerns, and have a plan in place. He stated that the annexation and rezoning would provide future growth and expansion at the airport. Mr. Cloyd stated that they envision complimentary facilities that are a natural addition to the existing uses. He stated there is no current development proposed at this time.

Mr. Ruble asked what development of the airport would transcend traditional transportation boundaries that currently exist means. Mr. Cloyd stated if you want Interstate access, you would have to come downtown or from Taylorsville South. He stated with the proposed expanding of runways and improving the fire station that is on site, there are potential possibilities that the airport can provide. He stated as a resident of Columbus he would like to see more air traffic on a daily basis and encourage that kind of corporate use.

Mr. Heaton asked what kind of planned partnership they were talking about with the Airport. Mr. Puckett stated they have had several discussions on what the development would look like and how they were going to work with the Airport Board. Mr. Puckett stated he had talked with the Airport Manager.

Mr. Fisher opened the meeting to the public.

Mr. John Kussman, President of the Board of Aviation for the Columbus Municipal Airport stated that Mr. Rod Blasdel, Airport Manager was handing out a diagram that portrays the planned extension for Runway 14 and depicts other information to be explained. He stated the Airport Master Plan calls for an extension to be added to the northwest runway. Mr. Kussman stated that on the drawing there is a white dotted line that represents the runway approach zone. He stated there could be no development, no structures within that approach zone for the runway. Mr. Kussman stated part of the existing property under consideration falls within that proposed zone associated with the runway extension. Mr. Kussman stated that there also would be building height restrictions in the area. He stated the proposed approach zone overlays some of Mr. Puckett's property. He stated that as a Board they oppose any development of land included in this petition.

Mr. Kussman stated that they have property on the airport that could be developed as industrial development in the future. He stated they are in the process of developing a Planned Unit Development for the Airport and they will have a plan of how to proceed with the development of the airport property.

Mr. Rod Blasdel, Director of the Airport stated that he had conversations with Mr. Puckett. He stated that Mr. Puckett was willing to work with the airport on the protection area. Mr. Blasdel stated that there has not been any agreement made. He stated this is the Board's decision. Mr. Blasdel stated there are concerns with encroachment of development into the areas needed for future extensions of the two runways at the airport.

Ms. Nancy Warren, member of the Board of Aviation expressed concern about the airports that were shutting down because of encroaching development. She stated that is an ongoing concern of the Airport. Mr. Warren stated that the primary jurisdiction comes from the FAA and they must abide by their rules. She stated the reason this is so important is if those rules are not followed, the funding is lost and the airport would be gone.

Mr. Fisher asked if at some point the airport would anticipate acquisition of properties like Mr. Puckett's. Mr. Kussman stated yes.

Mr. Eric Hayes, Attorney for the Board of Aviation, stated that he had been in contact with the FAA and one of the things that were unclear is if the Airport Board could stop anything being built in this protection zone. He stated the short answer was no. He stated if the Airport does not follow their design standards, they would not be provided with any money. Mr. Hayes stated there have been extensive renovations at the airport and none of the money has come from local funds. He stated if this request is approved and they cannot extend that runway, the Airport cannot meet their design standards. He stated the Federal money would be discontinued. Mr. Hayes stated it would be important for the runways to be extended because of the economic growth that it will provide to Columbus.

Mr. Puckett stated that he had a discussion with Mr. Blasdel just before this meeting and offered to donate or give easement to that protective area. He asked if the Board would still be against the request. Mr. Blasdel stated it would have to be decided by the Board of Aviation.

Mr. Kent Anderson, Director of the Metropolitan Planning Origination stated there were many industrial sites in Columbus, but there was none on the north side of the Airport. He stated the Comprehensive Land Use Map mentions this as a reserved industrial site. He stated it does not mention it as a current site for industry. Mr. Anderson stated there is a twenty-five year plan for transportation improvements in the Columbus area, with \$80 million in investments. This planning does not anticipate industrial development on the subject property. Mr. Anderson stated that a rezoning at this location would not be in keeping with the Comprehensive Plan.

Ms. Lou Marr stated that she owns the piece of ground next to this property. She stated they intended to farm it and do not wish to have any kind of easements for utilities across this piece of property. Ms. Marr stated the Pucketts were good neighbors, but she did disagree with them on the use of the land. Ms. Marr stated she opposed the annexation and the rezoning.

Mr. Steve Wetzel, President of the Flatrock Baptist Cemetery expressed concerns regarding the cemetery headstones. He stated they had just spent \$30,000 restoring them and heavy industrial traffic could increase the maintenance cost. He expressed concern about losing the rural setting.

Mr. Robert Collier expressed concerns about a factory being located near his house. He also expressed concern about run off water and flooding.

Ms. Beth Woods expressed concern about the increased traffic on River Road and an industrial site being located near their residence.

Ms. Peggy Steele stated that she opposed the rezoning and the increased traffic on River Road.

Mr. Roger Southern expressed concern about the additional traffic on River Road and opposed the rezoning.

Mr. Fisher read into the record five letters opposing the rezoning. They were from Mr. Robert Southern, Nathan L. Bean, Dale H. Wierenga, Gerald Tweed, and Evelyn C. Jewell. These are on permanent record on file in the Planning Department.

Mr. Rick Bridgewater stated that this rezoning would have the potential to deter economic growth.

Mr. Gary Smith asked who would pay for the cost of running sewer and water to this location if approved. Mr. Bergman stated that it would be the responsibility of the developer.

Ms. Lou Marr stated that the utilities would not be allowed to go through her property and that the Airport was maxed out, so if the City of Columbus has no plans to do this and she has no plan to allow any easements across her property, how could utilities be obtained?

Ms. Barbara Puckett stated that the comments made at this meeting have been due to a lack of understanding of this request. She stated no one had contacted them regarding this petition. Ms. Puckett stated that they live on River Road, have for twenty-three years, and understand the concerns. She stated there is no correct zoning for the development that they propose. Ms.

Puckett stated that she is talking about the Learning Center, Info Tech park buildings and those kinds of uses. She stated this is the kind of development that they are interested in doing; something that would relate to the Airport activities. Ms. Puckett stated that the Airport personnel have already addressed the need for a protection zone across their property. She stated that her husband and Mr. Blasdel have talked, but he had not spoken with the Aviation Board. Ms. Puckett stated that the Board sounded very opposed to what has transpired. She stated that they were in agreement with the Aviation Board, and that the protection area could be given to them. Ms. Puckett stated that they were willing to make the exchange.

Ms. Puckett stated that no property at the Airport could ever be owned, it has to be leased. She stated they are trying to develop property where companies can have ownership of the land.

Mr. Dewayne Hines asked what the next step would be in the process. Mr. Fisher stated this would be considered in two steps, the annexation and the rezoning. He stated the Plan Commission's action is a recommendation to the City Council. This will be presented at a future City Council meeting and they will make the final decision as to the annexation and the rezoning. Mr. Bergman stated there would be no more public hearings on this unless they were requesting to subdivide the property.

Mr. Fisher closed the meeting to the public.

Mr. Cloyd stated he heard many issues today that are specific to the development of this property. He stated that they are requesting to have the land rezoned and annexed. Mr. Cloyd stated that roadways and utilities are issues that if someone want to develop this property, they would have to present those to the governing bodies for approval. He stated the issues that have been expressed would have to be dealt with at sometime. Mr. Cloyd stated that this is not always a quiet neighborhood. He stated they have in good faith discussed this with the Airport prior to making this presentation and have eliminated 50% of the uses that would otherwise be allowed under the I-2 zoning. He stated maybe what they have done is not enough. Mr. Cloyd stated that maybe they needed to go to the Aviation Board, have a discussion with them, and talk about the issues to make sure everyone is on the same page. He stated they felt they had accomplished this, but realize now they have fallen short. Mr. Cloyd stated they would like to ask for a continuance.

Mr. Fisher stated that the petitioner has indicated an interest in having the request continued so future discussion can take place. Mr. Fisher stated that it was his opinion after listening to the comments at this meeting that we can take action on this without a continuance.

Mr. Bergman stated that one of the key things in the consideration of this request is one of timing. He stated that a single line in the Comprehensive Plan mentions the area north of the Airport as being reserved for future industrial development. It could be debated whether this is the north portion of the Airport that has been mentioned or not. Mr. Bergman stated if you look at this property and think long term about industrial development both in the City and near the Airport there are some interesting possibilities created by the connection between County Road 550 North and U.S. 31 and then to Interstate 65. Mr. Bergman stated there are companies who are looking for 10, 20, 40 acres and that the current industrial property that the Airport owns probably cannot accommodate someone that needs that much space. Mr. Bergman stated if you look at County Road 550 North as a gateway to the Airport and start to think about what the north side of that looks like in the future this conversation has a lot of merit to understand how that fits into the bigger picture. He stated that based on the comments that have been made at this meeting it is hard to say this is the right time for the rezoning of this piece of property.

Motion: Mr. Fisher made a motion to send an unfavorable recommendation on ANX-07-02 to the City Council, based on the timing, the comments made from the Airport Aviation Board of Commissioners and others who have spoken regarding this matter. Mr. Heaton seconded the motion and it carried with a vote of 7-0.

Motion: Mr. Heaton made a motion to send an unfavorable recommendation on RZ-07-04 to the City Council. Ms. Tupin-Crites seconded the motion and it carried with a vote of 7-0.

Mr. Bonnell returned to the meeting.

SU-MM-07-05: BARTHOLOMEW CONSOLIDATED SCHOOL CORPORATION (NORTHSIDE MIDDLE SCHOOL) – a request by the Bartholomew Consolidated School Corporation for approval of a major modification to the Northside Middle School special use site plan including improvements to the 27th Street bus drop-off and pickup area. The property is zoned SU-2 (Schools) and is located at 1400 27TH Street in the City of Columbus.

Ms. Pope presented the staff information on this request.

Mr. Dave Hayward with Christopher B. Burke Engineering and Scott Martin, Director of Maintenance and Facilities with Bartholomew Consolidated School Corporation represented the petitioner.

Mr. Hayward stated that the conceptual plan of the future connection to US31/National Road is shown on this site plan; however, it is not up for discussion this evening, only for reference.

Mr. Hayward stated that one of staff's comments was to make the driveways 30 feet or less and they are currently shown at 36 feet. The exit lane can be 30 feet without a problem, buses can make that turn. He stated if the entrance is 30 feet, buses could turn right from 27th Street without a problem. He stated if they are coming from the west on 27th Street and make the left turn, they could not do that without using part of the curb ramp that will be there for pedestrians. Mr. Hayward stated in order to provide the maximum flexibility to the school they are requesting an extra 6 feet of width on the drive.

Mr. Brand asked why 30 feet is better than 36 feet on the drive. Mr. Ruble stated that part of that requirement is to define entrance and exit points, both for the driver going down the street and for on site circulation. He stated that he is fine with the proposal of a 36-foot driveway.

Mr. Hayward stated the other issue that was raised was the parking in the front area. He stated at the time packets went out, they had received additional comments from the Fire Department and at that time, they wanted the fire lane where the bus lane is currently. He stated after meeting with Fire Department on site they agreed that the best place for the fire lane was along the street. He stated the bus area could be used as parking during daytime hours.

He stated that the schools staff would be responsible for clearing the cars during the bus time.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff would recommend approval of this request.

Motion: Mr. Heaton made a motion to approve this request. Mr. Russell seconded the motion and it carried with a vote of 8-0.

PUDF-07-02: CHARWOOD CORPORATE SUITES PHASE 4 – a request by Charwood Corporate Suites for approval of a Final PUD Plan for Phase 4 of the Charwood PUD. The property is located at 2000 West Charwood Drive in Columbus Township.

Mr. Hurley presented the staff information on this request.

Mr. E.R. Gary and Erick Meeks with E.R. Gray & Associates represented the petitioners.

Mr. Gray stated that the sidewalk ramp detail would meet the detail requirements of the City Engineer. He stated that the light fixture detail would be provided to the Planning Department as requested. Mr. Gray stated they would ask for approval of this petition.

Ms. Tupin-Crites asked if there would be any landscaping on the outside of the proposed perimeter fence.

Mr. Gray stated that the petitioner could not be here tonight and they have hired a landscape firm out of Indianapolis to design a Type A buffer. Mr. Brand stated that it be easier to maintain the landscaping if it were on the inside. Mr. Bergman stated that the Preliminary PUD called for a landscape buffer, but did not specifically require a Type A buffer. He stated that the drawing is labeled as a Type A buffer, but in reality, it is not. He stated the Type A buffer requires the landscaping buffer to be on the exterior of the fence, to benefit the neighbors. He stated that it would appear that some of this fence is going through the woods at the back side of the property. Mr. Bergman asked if there would be a lot of tree removal. Mr. Meeks stated there would be no large clearing of trees, just some smaller ones along the route of the fence.

Mr. Fisher opened the meeting to the public.

Mr. Jack Rubino stated that he lived in the lower Orchard Subdivision. He expressed concern that the six-foot fence and the landscaping was inadequate. He expressed concern regarding the run off water on his property.

Mr. Fisher closed the meeting to the public.

Mr. Fisher stated that the fencing was not designed to block the view, it was designed to delineate the property and encourage Charwood residents to remain on their property. Mr. Meeks stated there was a detailed drainage analysis submitted with the application for the Final PUD for Phase 4. He stated the proposed changes would handle the fully developed site, as planned.

Mr. Fisher closed the meeting to the public.

Mr. Russell asked if the original retention pond has an adequate fence around it. Mr. Bergman stated that there is no fencing required for a retention pond. He stated that Charwood had installed this one for safety reasons.

Mr. Bergman stated the primary purpose of this review is to make sure that the details of this request are consistent with the concepts that were approved at the time of preliminary review. He

stated that the fence actually exceeds what was talked about at the review meeting. He stated that staff would recommend approval subject to the following conditions: (1) demonstrate lighting at a maximum of 0.1 footcandles at the property line, (2) remove the note labeling the buffer as a "Type A" buffer, and (3) the sidewalk ramp detail shall meet the requirement of the City Engineer's Office.

Motion: Mr. Bonnell made a motion to approve this request with the following conditions: (1) demonstrate lighting at a maximum of 0.1 foot-candles at the property line, (2) remove the note labeling the buffer as a "Type A" buffer, and (3) the sidewalk ramp detail shall meet the requirement of the City Engineer's Office. Ms. Tupin-Crites seconded the motion and it carried with a vote of 8-0.

PUDF-07-03: COLUMBUS RETAIL CENTER – a request by M & M Development Group for approval of a Final PUD Plan for Lot 2B of the Lowe's PUD. The property consists of 0.79 acres and is located on the west side of U.S. 31 approximately 350 feet north of the intersection of U.S. 31 and 10th Street in the City of Columbus.

Ms. Pope presented the staff information on this request.

Mr. Rik Sanders with E.R. Gray & Associates and Mick Bess with M&M Development Group, LLC represented the petitioners.

Mr. Sanders stated they have addressed most of the issues that needed to be addressed. He stated that the architect has addressed Item # 5 and he has revised the drawings for a light plan; however, those could not be finished to meet the deadline for this meeting. He stated that a photometric plan for all exterior light shall be provided, verifying a maximum of 0.1 footcandles at the property lines.

Mr. Sanders stated that they had presented a letter taking this out of the flood zone and an elevation certificate would not be required. He stated the Golden Corral sign would be removed.

Mr. Sanders stated the original Lowe's PUD provided a circulation pattern for pedestrians. He stated that the sidewalk would come from the Lowe's store and then reach the developed outlots. He stated this developed lot would extend to US 31. Mr. Sanders stated that it was his opinion that an additional sidewalk would take the pedestrian traffic into an area at the intersection of the access easement and US 31 that would be dangerous. He stated they would rather have pedestrians crossing in the parking area than at the US 31 intersection.

Mr. Fisher asked if all tenants would be allowed a sign of their own with the Lowe's freestanding sign. Mr. Bess stated that only one tenant would be allowed to make use of the freestanding sign

Mr. Bess submitted a material board and it was passed around to the Plan Commission members. He stated that it identifies all the various components of the building. He submitted a color rendering of the elevations for the buildings. Mr. Fisher asked which direction the building would face. Mr. Bess stated US 31. Mr. Bess stated the back of the building would face Lowe's.

Mr. Bess stated the architect had shown him a number of drawings and he had picked this one because it had a better color scheme that was more neutral and looked appropriate for this location. Mr. Bess stated that this building has been sent up for five tenants, but he already has one tenant that would like to lease one-half the space. He stated this could change at any time.

Mr. Bergman stated there is no reason to send this to the Landscape Review Committee. He stated that they met the landscape point requirements.

Mr. Fisher asked the Plan Commission members if they were satisfied with the building material. The consensus was yes.

Mr. Ruble stated that the petitioner pointed out that by installing a sidewalk along the north side of the building out to U.S. 31 we would be encouraging people to cross the Lowe's driveway near the access point. He stated that if we do not add the sidewalk after U.S. 31 has been improved, anyone using that sidewalk on the 10th Street & Taylor Road side to come to this site would then have to cross the driveway twice, once at U.S. 31 and then back to the entrance to this site. Mr. Ruble stated he would recommend installing the sidewalks at this time so that at a future time we have a more cohesive system.

Mr. Sanders stated that anyone coming from the 10th Street area would come through the front of the lots if they were coming into that area. He stated one of the issues is that the sidewalk will be on Lowe's property, not his clients. He stated it was his opinion that the Preliminary PUD did adequately address the circulation pattern.

Mr. Bergman explained the two main reasons for requesting a detailed final PUD site plan; first is to verify compliance with the preliminary PUD and secondly is to understand how the detail of the subject site fits into the broader picture.

Mr. Fisher asked the petitioner about appropriate driveway width onsite. Mr. Sander stated that the drive between the building and the property line would have 24 feet of pavement. He stated it would be marked appropriately. Mr. Ruble stated you would have to jog a little bit, but the space is adequate.

Mr. Brand asked what is between the property line at Golden Corral and this property line. Ms. Pope stated that the asphalt just stops. She stated that Mr. Bess is proposing to install a curb along that line to separate the two parcels. Ms. Pope stated that people from the Golden Corral would be using another exit. She stated the parking lots would be separate. Mr. Bergman stated that traffic could pass down at the southern end, but the access between the two businesses is important, which is why it was built that way in the beginning. He stated that the Plan Commission could determine if that access was to be labeled Emergency Exit Only.

Ms. Tupin-Crites asked what it should be Emergency Exit Only. Mr. Bess stated their concern was having the overflow parking come back and forth between the two lots. He stated that would interfere with the two businesses. He stated some of the tenants would have a concern about adequate parking for their customers. Mr. Bess stated it was necessary for him to have control of his lot. He stated he had no control over the sidewalks at Lowe's.

Mr. Sanders stated there is another out lot that exists in the Lowe's PUD that has not been platted. He stated at that time Lowe's would have to petition for a minor plat and the sidewalk that has been discussed could then be requested.

Mr. Bergman stated the project complies with Lowe's Preliminary PUD. He stated that staff would recommend approval of the building design based on the other businesses located in the PUD. He stated that the project should not be sent to Landscape Review Committee and no

installation of sidewalks should be required. He stated staff would recommend approval with the following conditions: (1) The note on sheet 2 should reference the Columbus Zoning Ordinance and the Lowe's PUD, rather than the Bartholomew County Zoning Ordinance, (2) The existing "Golden Corral" sign on the site must be removed, (3) a photometric plan showing a maximum of 0.1 footcandles at the property lines must be submitted, and (4) only one tenant will be displayed on the 80 sq. ft. tenant sign panel located on each of the two Lowe's free-standing signs.

Motion: Ms. Tupin-Crites made a motion to approve this request with the following conditions: (1) The note on sheet 2 should reference the Columbus Zoning Ordinance and the Lowe's PUD, rather than the Bartholomew County Zoning Ordinance, (2) The existing "Golden Corral" sign on the site must be removed, (3) a photometric plan showing a maximum of 0.1 foot-candles at the property lines must be submitted, and (4) only one tenant will be displayed on the 80 sq. ft. tenant sign panel located on each of the two Lowe's free-standing signs. Mr. Ruble seconded the motion and it carried with a vote of 8-0.

PP-07-03: REPLAT OF MCCULLOUGH'S RUN MAJOR SUBDIVISION – a request by Breeden Investment Group Inc. to replat the previously approved McCullough's Run Subdivision, resulting in three additional lots. The property is zoned R-3 and is located on the east side of Talley Road, south of 25th Street.

Mr. Hurley presented the staff information on this request.

Mr. E.R. Gray with E.R Gray & Associates and Mark Pratt with Breeden Investment Group Inc. represented the petitioners.

Mr. Gray stated that the numbering system would be changed per the staff's instructions. Mr. Gray stated that they have been asked to show lot numbers and the adjoining property owners on the plat and he stated they would do that. Mr. Gray stated that the street classification for Sheridan and Regency Drive would be labeled. Mr. Gray stated they would show the two cross sections of the streams with an elevation on the plat.

He stated that classifying Regency Drive as a Neighborhood Collector street would be a problem for them because there is floodway on the south tier lots. He stated that when the Preliminary Plat was originally approved it was presented as a Local Street that met the Thoroughfare Plan. Mr. Gray stated it was his opinion that they did meet the criteria today as the Thoroughfare Plan now stands. He stated they were concerned with the extra set back on the lots. He stated the change was significant to the development. Mr. Gray stated the set back would change from 50 feet from the centerline as previously approved to 65 feet. He stated that pushes the homes farther to the south and closer to the floodway. He stated that they met the current Thoroughfare Plan.

Mr. Bergman stated the current Thoroughfare Plan does not provide a classification for this portion of Regency Drive. Mr. Bergman stated that one option is asking the applicants to dedicate some extra right-of-way but for the Plan Commission to classify Regency Drive as a Local street.

Mr. Pratt asked what the setback would be in the scenario described by Mr. Bergman. Mr. Gray stated it would remain 50 feet from the center of the road as long as it would remain a Local street.

Mr. Fisher stated that it was his opinion that the rules are changing in the middle of the development and this is unfair to the developer.

Mr. Bergman stated that every time you examine the Thoroughfare Plan the street classifications could change. He stated if the Zoning Ordinance changes that could change the setbacks also. He stated they can build this street as a Local and then the Thoroughfare Plan can change it. Mr. Bergman stated this could happen any place in the City.

Much discussion was held regarding the Thoroughfare Plan and how it can affect the setbacks in subdivisions.

Mr. Bergman stated that if the developer had not elected to make changes from the original Preliminary approval they could build this phase as originally approved. He stated this proposed changes makes this a new subdivision, subject to review and current requirements. Mr. Bergman noted that any change in the regulations being applied is a result of the developers request.

Mr. Fisher opened the meeting to the public.

Mr. Rick Bridgewater stated it was his opinion that the developer should agree with the larger setback

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated the best way to insure that things would not be changing midway through, is to designate Regency as a Collector street, have the larger setbacks and the street built as a Collector. Mr. Bergman stated that Mr. Pratt also has the option to build as previously approved.

Mr. Heaton asked why they are adding the three lots. Mr. Pratt stated they would be adding more houses and increasing their revenue.

Mr. Gray stated that they have asked for sixty feet instead of the fifty feet. He stated one of the largest obstacles that they have is when this becomes a Collector there is sixty-five feet of setback from the centerline instead of fifty feet. Mr. Gray stated they did not have a problem going to a sixty-foot right of way. He stated the biggest problem they would have is if this becomes a Collector street, they would have to set back 15 more feet. He stated that the south tier of lots would have to be built up because the slope becomes a big problem. He stated they would be willing to agree to the 60-foot right of way if they can maintain the Local street status.

Mr. Ruble stated it was important that the Plan Commission and the petitioners realize that they are in the process of rewriting the Thoroughfare Plan and there was a meeting where Regency Drive was discussed as it would extend farther east and follow the creek and tie into 25th Street. It will then be classified as some type of Collector. He stated it was possible that Regency would be changed and felt that the petitioner should be aware of the extra 15 feet of set back that could be required at that point.

Mr. Bergman stated that the setbacks were less in the proposed Zoning Ordinance than what is required in the current Zoning Ordinance. Mr. Bergman stated that in a situation where you have a new subdivision proposed in a location that is not on the Thoroughfare Plan it is the responsibility of the Plan Commission at that time to identify street classifications within that subdivision.

Mr. Bergman stated that staff would recommend approval of the request with (1) Regency Drive designated as a Local Street having a 60-foot right-of-way, (2) the sidewalks installed as if the right of way was 50 feet, (3) the flood elevation being shown, (4) the adjoining property owner's information shown on the plat, and (5) the comments from the Fire Department being addressed. He stated they would be working with the applicants on a solution for the issue identified by the Fire Department.

Motion: Mr. Heaton made a motion to approve this request subject to the conditions listed by Mr. Bergman. Mr. Russell seconded the motion and it carried with a vote of 8-0.

DISCUSSION ITEMS

Keller Meeting Public Meeting Follow-up Discussion: Mr. Bergman stated that he sent some follow up correspondence to the Richards school area neighborhood regarding the meeting that was held last year on the Keller Development rezoning request. He stated that the staff has finished the summary document. Mr. Bergman stated this document would be on file in the Planning Department for review. He stated that there were many suggestions for improving the public notice methods.

Mr. Bergman reminded the Plan Commission of the Zoning Ordinance update meeting April 11, 2007 in the Meeting Hall.

DIRECTOR'S REPORT

LIAISON REPORTS

ADJOURNMENT: 8:40 P.M.

David L. Fisher, President

Steve Ruble, Secretary